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HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B. : HON'BLE SHRI SATISH K. AGNIHOTRI, J.

WRIT PETITION (S) No. 2035 of 2007

PETITIONER : Santosh Kumar Mahesh, son of Shri Dalu Ram Mahesh, aged about 42 years, Upper Division Teacher, Middle Schol Kurudih Block Korba, District Korba, Chhattisgarh.

VERSUS

RESPONDENTS :
1. State of Chhattisgarh, Through The Secretary School Education Department Ministry D.K.S. Bhawan, Raipur (Chhattisgarh.
2. Commissioner, Tribal Welfare Department, Korba, District Korba (C.G.)
3. Asst. Commissioner Tribal Welfare Department, Korba, District Korba (C.G.)
4. Block Education Officer, Korba, Kartala, Katghora, Podi Uproda, Pali.

Present: Shri Amit Kumar Sharma, Advocate for the petitioner.
Shri Vinay Pandey, Panel Lawyer for the State/ respondents.

ORDER
(Passed on 03rd of April, 2007)

1. Learned counsel appearing for the petitioner as well as for the State/respondents jointly submit that the fact and question of law involved in the present writ petition are the same to that of in **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II)**

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MPJR-CG 96}, which has been disposed of vide order dated 03.04.2006. Learned counsel appearing for the respondents does not controvert the said submission.

2. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), subject to verification of the fact as to whether the petitioner has acquired B.Ed. Examination Certificate on his own expenses as per the circulars dated 24.12.1998 and 01.03.1999 and further whether he has been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Subhash